

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JEREMY ALLEN RUSSELL,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-21-0654-HE
)	
CCA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

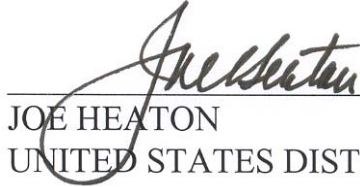
Plaintiff Jeremy Allen Russell filed this case alleging violations of his constitutional rights. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Shon T. Erwin for initial proceedings. Judge Erwin granted plaintiff's motion to proceed *in forma pauperis* and ordered plaintiff to make an initial filing fee payment of \$9.24 on or before August 16, 2021. Plaintiff failed to make any initial payment. Judge Erwin then issued a Report and Recommendation recommending that the case be dismissed for failure to make the payment in violation of the court's order. Plaintiff has objected to the Report which triggers *de novo* review of matters to which objection has been made.

Plaintiff's objection states that he has no money to pay even the partial initial filing fee. On the assumption that is true at the moment, but noting that plaintiff normally has some funds available to him (*see* Doc. #9-2), the court concludes plaintiff should have a brief extension of time to pay but that the Report and Recommendation should otherwise be adopted.

Plaintiff is directed to pay the reduced filing fee on or before October 15, 2021. Absent payment by that date, this case will be dismissed without prejudice and without further notice.

IT IS SO ORDERED.

Dated this 17th day of September, 2021.



JOE HEATON
UNITED STATES DISTRICT JUDGE